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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION
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COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF THE APPLICATION OF
TELESPHERE ACCESS, LLC FOR APPROVAL
OF A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE RESOLD LONG
DISTANCE AND RESOLD LOCAL
EXCHANGE, AND FACILITIES-BASED
LOCAL EXCHANGE AND LONG DISTANCE
TELECOMMUNICATIONS
SERVICES IN ARIZONA.

DOCKET NO. T-20675A-09-0214

**AMENDED PROCEDURAL
ORDER RESCHEDULING
HEARING DATE**

BY THE COMMISSION:

On May 6, 2009, Telesphere Access, LLC ("Telesphere" or "Company") filed an application with the Arizona Corporation Commission ("Commission") for approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold long distance and local exchange, and facilities-based local exchange and long distance telecommunications services within the State of Arizona. Telesphere's application also requests a determination that its proposed services are competitive within Arizona.

On August 11, 2010, Staff filed a Staff Report recommending approval of Telesphere's application, subject to certain conditions.

On October 4, 2010, by Procedural Order, the hearing date for this matter was scheduled for November 23, 2010, publication was ordered and other filing deadlines were established. However, the Commission's Open Meeting has been rescheduled and conflicts with the November 23, 2010 hearing date. Accordingly, a new hearing date should be set.

IT IS THEREFORE ORDERED that the **hearing scheduled to commence on November 23, 2010, at 1:00 p.m., is hereby rescheduled to commence on December 3, 2010 at 10:00 a.m.,** at the Commission's offices, 1200 West Washington Street, **Hearing Room 1**, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that **Telesphere shall publish notice** of the application and the hearing date, as stated below, in a newspaper(s) of general circulation in every county in Arizona in which Telesphere desires to provide service, **by November 5, 2010.**

**IN THE MATTER OF THE APPLICATION OF TELESPIHERE ACCESS, LLC
FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY
TO PROVIDE RESOLD LONG DISTANCE AND LOCAL EXCHANGE, AND
FACILITIES-BASED LOCAL EXCHANGE AND LONG DISTANCE
TELECOMMUNICATION SERVICES IN ARIZONA.
(DOCKET NO. T-20675A-09-0214)**

On May 6, 2009, Telesphere Access, LLC ("Telesphere") filed an application with the Arizona Corporation Commission ("Commission") for approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold long distance and resold local exchange, and facilities-based local exchange and long distance telecommunication services in Arizona. Telesphere also petitioned the Commission for a determination that its proposed services are competitive in Arizona. The Commission's Utilities Division ("Staff") has recommended approval of Telesphere's application, subject to certain conditions. The Commission is not bound by the proposals made by Telesphere, Staff, or intervenors, and the Commission will issue a Decision following consideration of testimony and evidence presented at an evidentiary hearing. Copies of the application, Staff Report, and any written objections to the Staff Report filed by Telesphere or intervenor(s) will be available at Telesphere's offices [insert address] and on the internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on Telesphere's application on **December 3, 2010 at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Room Hearing Room 1, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted via email (visit http://www.azcc.gov/divisions/utilitiestest/forms/public_comment.pdf for instructions) or by mailing a letter referencing Docket No. T-20675A-09-0214 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission, and you must send copies of the motion to Telesphere or its counsel and to all parties of record in the case. Your motion to intervene must contain the following:

1. The name, address and telephone number of the proposed intervenor and of any person upon whom service of documents is to be made if different from the intervenor;
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.); and
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

1 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
2 that all motions to intervene must be filed on or before November 15, 2010. The
3 granting of intervention, among other things, entitles a party to present sworn
4 evidence at the hearing and to cross examine other witnesses. However, failure to
5 intervene will not preclude any interested person or entity from appearing at the
6 hearing and making a statement on their own behalf. If representation by counsel is
7 required by Rules 31 and 38 of the Rules of the Arizona Supreme Court, intervention
8 will be conditioned upon the intervenor obtaining counsel to represent the intervenor.

9 The Commission does not discriminate on the basis of disability in admission to its
10 public meetings. Persons with a disability may request a reasonable accommodation
11 such as a sign language interpreter, as well as request this document in an alternative
12 format, by contacting the ADA Coordinator, Shaylin Bernal at SABernal@azcc.gov,
13 voice phone number 602-542-3931. Requests should be made as early as possible to
14 allow time to arrange the accommodation.

15 IT IS FURTHER ORDERED that **Telesphere shall file an Affidavit of Publication** with the
16 Commission **no later than November 15, 2010**.

17 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
18 105, except that all motions to intervene shall be filed by **November 15, 2010**.

19 IT IS FURTHER ORDERED that any **objections to intervention(s)** shall be filed by
20 **November 26, 2010**.

21 IT IS FURTHER ORDERED that **Telesphere or any intervenors** shall file specific
22 disagreements/comments, if any, regarding the Staff Report by **November 26, 2010**.

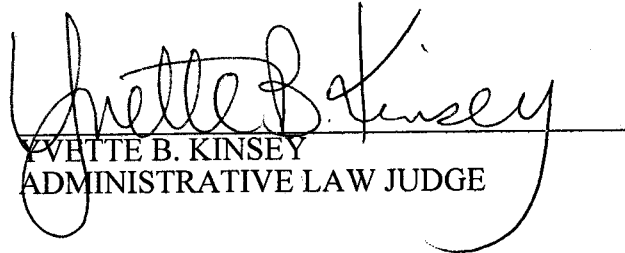
23 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
24 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law in Arizona and
25 before the Commission and admission *pro hac vice*.

26 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
27 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
28 Rules of Arizona Supreme Court). Representation before the Commission includes appearance at all
hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled
for discussion, unless counsel has previously been granted permission to withdraw by the
Administrative Law Judge or the Commission.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
Communications) applies to this proceeding and shall remain in effect until the Commission's
Decision in this matter is final and non-appealable.

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 Dated this 12th day of October, 2010.

4
5
6 
7 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE


8 Copies of the foregoing mailed/delivered
9 this 12th day of October, 2010 to:

10 Kristopher Twomey
11 TELESPHERE ACCESS, LLC
1725 I Street, N.W., Suite 300
Washington, DC 20006

12 Janice Alward, Chief Counsel
13 Legal Division
ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
Phoenix, AZ 85007

15 Steven M. Olea, Director
16 Utilities Division
ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
Phoenix, AZ 85007

18 ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
19 Phoenix, AZ 85004-1184

20
21 By: 
22 Debra Broyles
Secretary to Yvette B. Kinsey